

Gen. Ord. No. 17 - 11 - 12. By Alderperson Kittelson. July 5, 2011.

AN ORDINANCE repealing and recreating Section 26-37(a)(2)(b) of the Municipal Code and creating Section 26-651(e) of the Municipal Code so as to modify various portions of the adopted model codes so as to reinstate certain provisions formerly contained in the Municipal Code prior to adoption of model codes so as reflect the specific needs and conditions of the City of Sheboygan.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Subsection 26-37(a)(2)(b) of the Municipal Code is hereby repealed and re-created to read as follows:

"26-37 Uniform Codes Adopted

...

(a)

...

(2)

...

(b) The following sections and subsections are modified as set forth below:

1. Section 301.2 is modified to provide as follows: "No person, shall use, occupy, own, or permit use of any structure or premises that does not comply with the requirements of this Code."
2. Subsection 304.7 is modified to provide as follows: "All roofs shall be structurally sound, tight and have no defects which might admit rain. Roof drainage shall be adequate to prevent rainwater from causing dampness in the walls or interior portion of the building. Existing gutters and downspouts shall be maintained in good repair, and direct water away from all foundations. All dwellings nearer than three feet to property line shall have gutters and downspouts installed on the entire affected side."

3. In addition to the requirements of Subsection 304.13, window panes and doors which require glazing shall not be boarded up except as a result of weather conditions or replacement and then only on a temporary basis, not to exceed three weeks. Commercial buildings shall comply with the requirements of subsection 26-651(e) of this code.
4. Subsection 304.14 is modified to provide that screens shall be required between May 1 and October 15.
5. Subsection 304.18.1 is modified to provide as follows:  
"Doors providing access to a dwelling unit, rooming unit, rooming unit or housekeeping unit that is rented, leased, or let shall be equipped with a lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge, or effort. Such locks shall be installed according to the manufacturer's specifications and maintained in good working order."
6. Subsection 307.1 is modified to provide as follows:  
"Every exterior and interior flight of stairs having more than three risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface more than 24 inches above the floor or grade below shall have guards. Handrails shall not be less than 30 inches high or more than 38 inches high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 36 inches high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface. Exception: Existing handrail and guardrails in good repair may remain per the code in effect at the time of installation."
7. Subsection 404.5 is modified to provide as follows:  
"The number of persons occupying a dwelling unit shall not create conditions that, in the opinion of the code official, endanger the life, health, safety or welfare of the occupants. Every room occupied for sleeping purposes shall contain at least 70 square feet of floor space and shall contain at least 50 square feet of floor space for each occupant over 12 years of age

and 25 square feet of floor space for each occupant 12 years of age or under.

8. The final sentence of subsection 505.1 is modified to provide as follows: "All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with provisions of the Wisconsin Administrative Code.
9. Subsection 602.3 is modified to provide that it is effective between September 1 and May 31 and so as to replace the reference to Appendix D of the International Plumbing Code with Comm 22.07(2), Wisconsin Administrative Code.
10. Subsection 602.4 is modified to provide that it is effective between September 1 and May 31.
11. Subsection 603.2 is modified to eliminate the exception.
12. Subsection 604.2 is modified to replace the reference to the ICC Electric Code with Comm 16, Wisconsin Administrative Code.

..."

Section 2. Subsection (e) of Section 26-651 of the Municipal Code is hereby created to read as follows:

"Sec. 26-651 Property Maintenance Code; penalties.

- (e) Notwithstanding other provisions of this chapter, no person shall occupy, own, maintain, use, or permit the use of a commercial property upon which any window pane or door requiring glazing is boarded up except as a result of weather conditions or replacement, and then only if the boarded up windows and doors are painted to match the exterior of the building, and only on a temporary basis not to exceed three weeks."

Section 3. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance shall be in effect from and after its passage and publication.